

“(I) OMB shall take the actual level of highway receipts for the year before the current year and subtract the sum of the estimated level of highway receipts in clause (iii), plus any amount previously calculated under clauses (i)(II) and (ii) for that year.

“(II) OMB shall take the current estimate of highway receipts for the current year and subtract the estimated level of highway receipts in clause (iii) for that year.

“(III) OMB shall—

“(aa) take the sum of the amounts calculated under subclauses (I) and (II) and add that amount to the obligation limitation set forth in section 8103 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 for the highway category for the budget year, and calculate the outlay change resulting from that change in obligations relative to that amount for the budget year and each outyear using current estimates; and

“(bb) after making the calculation under item (aa), adjust the obligation limitation set forth in section 8103 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 for the budget year by adding the amount calculated under subclauses (I) and (II).”;

(2) by striking clause (ii) and inserting the following:

“(i) When the President submits the supplementary budget estimates for each of fiscal years 2006 through 2009 under section 1106 of title 31, United States Code, OMB’s Mid-Session Review shall include adjustments to the obligation limitation and outlay limit for the highway category for the budget year and each outyear as follows:

“(I) OMB shall take the most recent estimate of highway receipts for the current year (based on OMB’s Mid-Session Review) and subtract the estimated level of highway receipts in clause (iii) plus any amount previously calculated and included in the President’s Budget under clause (i)(II) for that year.

“(II) OMB shall—

“(aa) take the amount calculated under subclause (I) and add that amount to the amount of obligations set forth in section 8103 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 for the highway category for the budget year, and calculate the outlay change resulting from that change in obligations relative to that amount for the budget year and each outyear using current estimates; and

“(bb) after making the calculation under item (aa), adjust the amount of obligations set forth in section 8103 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005 for the budget year by adding the amount calculated under subclause (I).”;

(3) by adding at the end the following:

“(iii) The estimated level of highway receipts for the purpose of this subparagraph are—

“(I) for fiscal year 2005, \$34,163,000,000;

“(II) for fiscal year 2006, \$36,972,000,000;

“(III) for fiscal year 2007, \$38,241,000,000;

“(IV) for fiscal year 2008, \$39,432,000,000; and

“(V) for fiscal year 2009, \$40,557,000,000.

“(iv) In this subparagraph, the term “highway receipts” means the governmental receipts and interest credited to the highway account of the Highway Trust Fund.”.

(C) CONTINUATION OF SEPARATE SPENDING CATEGORIES.—For the purpose of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)), the discretionary spending limits for the highway category and the mass transit category shall be—

(1) for fiscal year 2005—

(A) \$33,657,000,000 for the highway category; and

(B) \$6,844,000,000 for the mass transit category;

(2) for fiscal year 2006—

(A) \$37,086,000,000 for the highway category; and

(B) \$5,989,000,000 for the mass transit category;

(3) for fiscal year 2007—

(A) \$40,192,000,000 for the highway category; and

(B) \$7,493,000,000 for the mass transit category;

(4) for fiscal year 2008—

(A) \$41,831,000,000 for the highway category; and

(B) \$8,479,000,000 for the mass transit category; and

(5) for fiscal year 2009—

(A) \$42,883,000,000 for the highway category; and

(B) \$9,131,000,000 for the mass transit category.

(d) ADDITIONAL ADJUSTMENTS.—Section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(1)) is amended—

(1) in subparagraph (C)—

(A) in clause (i), by striking “fiscal years 2000, 2001, 2002, or 2003,” and inserting “each of fiscal years 2006, 2007, 2008, and 2009.”; and

(B) in clause (ii), by striking “2002 and 2003” and inserting “2008 and 2009”; and

(2) in subparagraph (D)—

(A) in clause (i)—

(i) by striking “1999” and inserting “2005”; and

(ii) by striking “2000 through 2003” and inserting “2006 through 2009”; and

(iii) by striking “section 8103 of the Transportation Equity Act for the 21st Century” and inserting “section 6102 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005”; and

(B) in clause (ii), by striking “2000, 2001, 2002, or 2003” and inserting “2006, 2007, 2008, and 2009”.

SEC. 8103. LEVEL OF OBLIGATION LIMITATIONS.

(a) HIGHWAY CATEGORY.—For the purpose of section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)), the level of obligation limitations for the highway category is—

(1) for fiscal year 2005, \$35,154,000,000;

(2) for fiscal year 2006, \$40,110,000,000;

(3) for fiscal year 2007, \$40,564,000,000;

(4) for fiscal year 2008, \$42,544,000,000; and

(5) for fiscal year 2009, \$43,281,000,000.

(b) MASS TRANSIT CATEGORY.—For the purpose of section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)), the level of obligation limitations for the mass transit category is—

(1) for fiscal year 2005, \$7,609,000,000;

(2) for fiscal year 2006, \$8,902,000,000;

(3) for fiscal year 2007, \$9,367,000,000;

(4) for fiscal year 2008, \$10,171,000,000; and

(5) for fiscal year 2009, \$10,502,000,000.

For the purpose of this subsection, the term “obligation limitations” means the sum of budget authority and obligation limitations.

PRIVILEGE OF THE FLOOR

Mr. LOTT. Mr. President, I ask unanimous consent that Susan Kirinich, a detailee of the Senate Committee on Commerce Science and Transportation from the National Highway Traffic Safety Administration be granted the privilege of the floor for the duration of the consideration of H.R. 3.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following

fellows and interns of the Democratic staff of the Finance Committee be allowed on the Senate Floor for the duration of the debate on the Transportation Reauthorization Bill.

Brian Townsend,

Cuong Huynh,

Richard Litsey,

Jorlie Cruz,

Waylon Mathern,

Emily Meeker,

Rob Grayson.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 975

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 975) to provide incentives to increase research by private sector entities to develop medical countermeasures to prevent, detect, identify, contain, and treat illnesses, including those associated with a biological, chemical, nuclear, or radiological weapons attack or an infectious disease outbreak, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to proceeding further.

The PRESIDING OFFICER. Objection is heard, and the bill will be placed on the calendar.

MEASURE READ THE FIRST TIME—S. 981

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 981) to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred.

Mr. DURBIN. Mr. President, it is with some measure of frustration that I rise to again introduce the Reservist Pay Security Act. This bill allows members of the National Guard and Reserve who are Federal employees to